

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRACY GAYLE,

Plaintiff

V.

BANK OF AMERICA, N.A., et al.,

Defendants

Case No.: 2:18-cv-00913-APG-NJK

Order Dismissing Defendant SBMC

On September 13, 2018, plaintiff Tracy Gayle was advised by the court that this action would be dismissed without prejudice as to defendant SBMC unless on or before October 12, 2018, she filed proper proof of service or showed good cause why such service was not timely made. ECF No. 34. Gayle responded by stating that she sent a copy of the amended complaint to defendant SBMC via certified mail. ECF No. 35.

Gayle has not shown proper service. First, she does not identify when she mailed the amended complaint. Second, she does not state she also sent a summons. Finally, certified mail is not a means of personal service on a Nevada business entity under Federal Rule of Civil Procedure 4. *See, e.g., Johnson v. Clark Cty. Sch. Dist.*, No. 2:14-cv-02213-JAD-VCF, 2016 WL 3156059, at *1 (D. Nev. June 3, 2016); *Cabrera v. Las Vegas Metro. Police Dep't*, No. 2:12-CV-00918-RFB-CWH, 2014 WL 6634821, at *2-3 (D. Nev. Nov. 21, 2014). Gayle thus has failed to file proof of service and has not shown good cause why service was not timely made. Nor has she shown cause why this action should not be dismissed without prejudice as to SBMC under Federal Rule of Civil Procedure 4(m).

1 IT IS THEREFORE ORDERED that this case is DISMISSED without prejudice as to
2 defendant SBMC.

3 DATED this 7th day of November, 2018.



5 ANDREW P. GORDON
6 UNITED STATES DISTRICT JUDGE
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